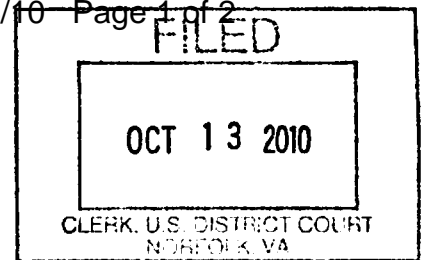


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division



NATIONWIDE MUTUAL
INSURANCE COMPANY,

Plaintiff,

v.

ACTION NO. 2:10cv310

1400 HAMPTON BLVD, LLC,
DOUGLAS SHEPHERD,
ALAN G. AND DELORES N. BARTEL, LP
and
1400 HAMPTON BOULEVARD
CONDOMINIUM ASSOCIATION, INC.,

Defendants.

DOUGLAS SHEPHERD,
ALAN G. AND DELORES N. BARTEL, L.P.,
and
1400 HAMPTON BLVD., LLC,

Plaintiffs,

v.

ACTION NO. 2:10cv343

NATIONWIDE MUTUAL
INSURANCE COMPANY,
and
1400 HAMPTON BOULEVARD
CONDOMINIUM ASSOCIATION, INC.,

Defendants.

CONSOLIDATION ORDER

This matter comes before the court on Nationwide Mutual Insurance Company's ("Nationwide") Motions to Consolidate these two

cases. The motions are opposed, but only on the grounds that the court should decline jurisdiction of both cases (remanding one and dismissing the other). The motions are now ripe for consideration.

These actions involve identical parties and both actions arise out of the same occurrence and have common questions of law and fact. Accordingly, pursuant to Rule 42 of the Federal Rules of Civil Procedure, it is **ORDERED** that the actions are consolidated for pretrial discovery, trial, and all other matters at issue in the actions, pending further order of this court.

The Clerk is **DIRECTED** to forward a copy of this Consolidation Order to all counsel/parties in the cases.

IT IS SO **ORDERED**.

/s/
Rebecca Beach Smith
United States District Judge

-RBS
UNITED STATES DISTRICT JUDGE

Norfolk, Virginia

October 13, 2010